

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NORTH DAKOTA
NORTHWESTERN DIVISION**

Before the Court is a motion to continue the trial pending the outcome of any evaluation hearing ordered by the Court. The trial is currently scheduled to commence on April 14, 2009. The Government has not filed an objection to a reasonable continuance.

The Court finds there is good cause to continue the trial and the ends of justice are best served by continuing the trial pursuant to 18 U.S.C. § 3161 (h)(7)(A) and (h)(4). See United States v. Hohn, 8 F.3d 1301 (8th Cir. 1993); United States v. Driver, 945 F.2d 1410, 1414 (8th Cir. 1991). Accordingly, the Court **GRANTS** the motion. (Docket No. 45). Trial shall be rescheduled for Tuesday, July 21, 2009, at 9:30 a.m. in Minot before Judge Hovland. A two (2) day trial is anticipated. All time which elapses from the date of this order until trial shall be excluded from any Speedy Trial Act calculation. See 18 U.S.C. § 3161 (h)(7)(A) and (h)(4).

IT IS SO ORDERED.

Dated this 7th day of April, 2009.

/s/ Daniel L. Hovland

Daniel L. Hovland, Chief Judge
United States District Court